**Remarks/Arguments:**

Applicants note that the Office Action Summary indicates that the current Office Action is non-final, while page 6 of the Office Action indicates that the Action is Made Final. Applicants respectfully submit that the Summary page is correct as the previous response was filed with a Request for Continued Examination (RCE) and the current Office Action cites new prior art. In view of the newly cited art in response to the amended claims, it would not have been appropriate to make the first action after the RCE a final action. In the event a final action was intended, Applicants respectfully request that such finality be withdrawn.

**Claim Rejections Under 35 U.S.C. §103**

Claims 13, 14, 16 and 19-25 stand rejected under 35 U.S.C. §103 as unpatentable over U.S. Patent No. 4,398,252 (Frait) in view of U.S. Patent No. 6,322,166 (Furuya et al.). Applicants traverse these rejections.

Independent claim 13 recites a "[m]ethod for generating a corrected nominal current in a pulse-width-modulated current control, in particular for electronic brake control units of motor vehicles, wherein a measured current is determined at a certain predetermined time during an actuation period and a compensation is executed by way of at least one compensation current value determined in response to a supply voltage, the compensation current value being added to the measured current so that the corrected nominal current is available for current control."

The Office Action cites Frait as teaching a method of generating a corrected nominal current including determining a measured current and executing a compensation by way of compensation variables which are added to the measured current. Applicants respectfully submit that Frait fails to teach or suggest such.

As explained in the summary of the invention of Frait at column 2, lines 5-11, Frait relates to a control system which "[i]n the event of a partial or resistive short circuit, the pulse width is decreased to limit the output power from the electronic controller. In other words, each pulse applied by the electronic controller to the brake circuit is cut short in response to an over current condition to limit the output power from the brake controller to a nondestructive level." This is illustrated by the dashed lines 47 in Fig. 3 thereof. Contrary to the assertion in the Office Action, Frait does not teach or suggest any compensation current value that is added to the measured current to achieve a corrected nominal current. Instead, Frait only teaches decreasing the pulse width in the event of a power surge due to a partial or full short circuit.

The Office Action cites to several passages of Frait as teaching compensation variables, however, none of these variables are a compensation current value that is added to the

measured current so that a corrected nominal current is available for current control. Frait is not concerned with the value of the nominal current and instead is only concerned with addressing a power surge.

The current Office Action does not cite to Furuya et al. as teaching or suggesting determining a compensation current value based on supply voltage that is added to the nominal current so that the corrected nominal current is available for current control. To the contrary, in response to the December 17, 2007 Amendment explaining that Furuya et al. does not teach compensation variables, the March 28, 2008 Office Action withdrew the previous §102 rejection based on Furuya et al., thereby confirming that Furuya et al. does not teach the claimed invention.

The current Office Action cites to Furuya et et al. as teaching that the supply voltage measurement and temperature measurement are added to each other to compensate the final control signal. However, as explained in the December 17, 2007 Amendment, Furuya et al. simply teaches the use of the regenerative current for determining the position of the plunger 303. Furuya et al. explains at column 7, lines 7-10, which is the paragraph immediately following the citation in the Office Action, that based on the voltage and temperature measurements relied on in the Office Action, "a certain relationship of correspondence can always be preserved between **the response waveform of the regenerative current and the plunger position, allowing accurate detection of the opening degree (plunger position)**." (emphasis added).

The cited references, alone or in any reasonable combination, fail to teach or suggest each limitation of the claimed invention. It is respectfully submitted that independent claim 13 is condition for allowance. Claims 14, 16, 19-28 each depend from claim 13 and should each be allowed for at least the reasons set forth above. It is respectfully submitted that each of these claims recite additional limitations which further distinguish over the prior art.

Similar to independent claim 13, new independent claim 29 recites "[a] method for generating a corrected nominal current in a pulse-width-modulated current control for a current actuated valve, the method comprising the steps of: determining a measured current at a predetermined time during an actuation period of the valve; determining at least one compensation current value based on a supply voltage; and adjusting the measured current by the compensation current value to generate the corrected nominal current.

As explained above, the cited references, alone or in any reasonable combination, fail to teach or suggest determining at least one compensation current value based on a supply voltage and adjusting the measured current by the compensation current value to generate the

corrected nominal current. Furthermore, claim 29 recites determining a measured current at a predetermined time during an actuation period of the valve. The Office Action cites to the Abstract of Frait, however, the Abstract is silent with respect to any valve and any measurement of current during an actuation period of a valve. It is respectfully submitted that independent claim 29 is in condition for allowance.

It is respectfully submitted that each of the pending claims is in condition for allowance. Early reconsideration and allowance of each of the pending claims are respectfully requested.

If the Examiner believes an interview, either personal or telephonic, will advance the prosecution of this matter, it is respectfully requested that the Examiner get in contact with the undersigned to arrange the same.

Respectfully submitted,

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